

SENATE BILL 3612

By Haynes

AN ACT to amend Tennessee Code Annotated, Title 26,  
Chapter 2, relative to garnishments.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 26-2-216(b)(2), is amended in the form by deleting the language "NOTICE OF JUDGMENT DEBTOR (AND NOTICE TO GARNISHEE) NOTICE TO THE DEBTOR (EMPLOYEE):" and by substituting instead the language "NOTICE TO JUDGMENT DEBTOR (EMPLOYEE) AND NOTICE TO GARNISHEE (EMPLOYER):".

SECTION 2. Tennessee Code Annotated, Section 26-2-216(b)(2), is further amended in the form by deleting the language "The garnishment creates a lien on a portion of your wages until the judgment is satisfied, or for three (3) months, whichever occurs first." and by substituting instead the language "The garnishment creates a lien on a portion of your wages until the judgment is satisfied, or for six (6) months, whichever occurs first."

SECTION 3. Tennessee Code Annotated, Section 26-2-216(b)(2), is further amended in the form by deleting the language:

(A) Twenty-five percent (25%) of the garnishee's disposable earnings for that week, minus two dollars and fifty cents (\$2.50) for each of the garnishee's dependent children under sixteen (16) years of age who resides in the state of Tennessee as provided in § 26-2-107; or

(B) The amount by which the garnishee's disposable earnings for that week exceed thirty (30) times the federal minimum hourly wage at the time the earnings for any pay period become due and payable, minus two dollars and fifty cents (\$2.50) for

each of the garnishee's dependent children under sixteen (16) years of age who resides in the state of Tennessee, whichever is less.

and by substituting instead the language:

(A) Twenty-five percent (25%) of the debtor's disposable earnings for that week, minus two dollars and fifty cents (\$2.50) for each of the debtor's dependent children under sixteen (16) years of age who resides in the state of Tennessee as provided in § 26-2-107; or

(B) The amount by which the debtor's disposable earnings for that week exceed thirty (30) times the federal minimum hourly wage at the time the earnings for any pay period become due and payable, minus two dollars and fifty cents (\$2.50) for each of the debtor's dependent children under sixteen (16) years of age who resides in the state of Tennessee, whichever is less.

SECTION 4. Tennessee Code Annotated, Section 26-2-216(b)(2), is further amended in the form by deleting the language "different standards apply under 15 U.S.C. § 1672(b)" and by substituting instead the language "different standards apply under 15 U.S.C. § 1673(b)".

SECTION 5. This act shall take effect July 1, 2012, the public welfare requiring it.